

# **EXHIBIT D**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**DONNA CURLING, ET AL.,  
Plaintiffs,**

**v.**

**BRAD RAFFENSPERGER, ET AL.,  
Defendants.**

**Civil Action No. 1:17-CV-**

**2989-AT**

**DECLARATION OF MARILYN MARKS**

MARILYN MARKS declares, under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am the executive director of Coalition for Good Governance, a plaintiff in this case.
2. The Coalition Plaintiffs, knowing that GEMS skilled and time-consuming database analysis was an essential first step in DRE system discovery, had planned their GEMS database discovery for months on a budget-conscious basis by recruiting highly skilled unpaid volunteers such as database experts, professionals with undergraduate and graduate computer science degrees, and skilled laymen with detailed knowledge of local election trends and data.

3. In anticipation of this database review, I developed a GEMS database analysis plan that would use these Atlanta-based volunteers assisted by Coalition interns to efficiently analyze the data in the databases. (This is the same way that the Pima County Democratic Party review the database in Pima County, where GEMS databases are public records.) I consulted with experts who conducted those PIMA County GEMS database analysis to create the plan for Coalition Plaintiffs' review. I anticipated requiring only minimal assistance from our paid expert, Mr. Bernhard.

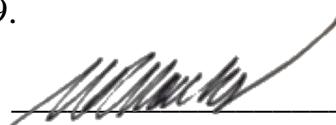
4. Because the State claimed that the GEMS databases were unique to Georgia, and could only be accessed by experts or attorneys, the Coalition was unable to use unpaid volunteers for this effort, and instead had to engage Mr. Bernard and Mr. Wilson to perform the review at the University of Michigan.

5. As I have detailed in other declarations, I have over ten years' experience working with voting technology. I have worked in election integrity, transparency and organized dozens of election technology cases and formal administrative procedural challenges. While I have devoted my time to non-profit work for the last several years, I am frequently contacted by others seeking expert advice in the field of election integrity and oversight. When I last worked as a paid

litigation consulting expert for unrelated Plaintiffs in an election contest in 2014, my daily billing rate was \$2,500.

6. In this case, the experts (including Dr. Halderman, Mr. Bernhard, and Mr. Wilson) and the lawyers consulted with me frequently and regularly because of my expertise.

This 12 day of November, 2019.



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Marilyn Marks